

## STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0078816** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality  
Office of Environmental Services  
P. O. Box 4313  
Baton Rouge, Louisiana 70821-4313

- I. THE APPLICANT IS:** Town Of Jackson  
Jackson Wastewater Treatment Facility  
P. O. Box 1150  
Jackson, LA 70748
- II. PREPARED BY:** Darlene G. Bernard  
**DATE PREPARED:** June 22, 2007
- III. PERMIT ACTION:** renewal of LPDES permit LA0078816/AI 39899  
LPDES application received: November 16, 2005
- LPDES permit effective: May 1, 2000  
LPDES permit expired: April 30, 2005  
EPA has not retained enforcement authority

**IV. FACILITY INFORMATION:**

- A. The application is for the discharge of treated sanitary wastewater from an existing publicly owned treatment works serving the Town of Jackson.
- B. The application **does not** indicate the receipt of industrial wastewater.
- C. The facility is located at the south end of Creekfield Road in Jackson, East Feliciana Parish, Louisiana.

The treatment facility consists of four oxidation ponds for treatment. Ponds 1A and 1B have mechanical aeration units, Pond 2 has a partial floating cover with hydraulic baffle, and Pond 3 is completely covered. Effluent passes through a polishing reactor prior to entering the chlorine contact chamber.

- D. Outfall 001  
Discharge Location: Latitude 30° 49 ' 43" North  
Longitude 91° 13' 33" West

Description: treated sanitary wastewater

Design Capacity: 0.439 MGD

Type of Flow Measurement that the facility is currently using: Continuous Recorder

**V. RECEIVING WATERS:**

The discharge is into Thompson Creek in segment 070502 of the Mississippi River Basin. This segment is listed on the 303(d) list as impaired for pathogen indicators. To date no TMDLs have been completed for this water body. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. To protect the receiving waterbody against high levels of pathogenic organisms, fecal coliform limitations

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have been established in the permit.

The designated uses and degree of support for Segment 070502 of the Mississippi River Basin are as indicated in the table below<sup>1/</sup>:

Overall Degree of Support for Segment 040804	Degree of Support of Each Use							
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Oyster Propagation	Limited Aquatic Life and Wildlife Use	Agriculture
Partial	Not Supported	Full	Full	N/A	N/A	N/A	N/A	N/A

<sup>1/</sup>The designated uses and degree of support for Segment 070502 of the Mississippi River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2002 Water Quality Management Plan, Volume 5, Part B, Water Quality Inventory respectively.

#### VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 070502 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWLS) as habitat for the Pallid sturgeon, which is listed federally as a threatened species. However, this type of discharge is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

#### VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

#### VIII. PUBLIC NOTICE:

The public notice is published in the local newspaper of general circulation and the Office of Environmental Services Public Notice Mailing List. Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit to the LDEQ contact person, listed below, and may request a public hearing to clarify issues involved in the permit decision. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

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Public notice published in:

Local newspaper of general circulation  
 Department of Environmental Quality Public Notice Mailing List

For additional information, contact:

Ms. Darlene Bernard  
 Permits Division  
 Department of Environmental Quality  
 Office of Environmental Services  
 P. O. Box 4313  
 Baton Rouge, Louisiana 70821-4313

# **IX. PROPOSED PERMIT LIMITS:**

## **OUTFALL 001**

Final effluent limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

### **Final Effluent Limits:**

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
BOD <sub>5</sub>	37	10 mg/l	15 mg/l	Limits are set in accordance with the previous LPDES permit and Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this size.
TSS	55	15 mg/l	23 mg/l	Limits are set in accordance with the previous LPDES permit and Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this size.

### **Other Effluent Limitations for Outfall 001**

#### **1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.a, the fecal coliform standards for this water body is 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgment in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

#### **2) pH**

According to LAC 33:IX.3705.A.1., POTW's must treat to at least secondary levels. Therefore, in accordance with LAC 33:IX.5905.C., the pH shall not be less than 6.0 standard

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units nor greater than 9.0 standard units at any time.

### 3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

## X. PREVIOUS PERMITS:

LPDES Permit No. LA0038610: Issued: April 19, 2000  
 Effective: May 1, 2000  
 Expired: April 30, 2005

During the period beginning the effective date of the permit and lasting until two months after completion of construction but not to exceed December 31, 2001 (Design 0.439MGD)

Effluent Characteristic	<u>Discharge Limitations</u>			<u>Monitoring Requirements</u>	
	lbs./day	other units		Measurement	Sample
	Monthly <u>Avg.</u>	Monthly <u>Avg.</u>	Weekly <u>Avg.</u>	<u>Frequency</u>	<u>Type</u>
Flow	---	Report	Report	Continuous	Recorder
BOD <sub>5</sub>	110	30 mg/l	45 mg/l	2/month	Grab
TSS	330	90 mg/l	135 mg/l	2/month	Grab
Fecal Coliform					
Colonies	N/A	200	400	2/month	Grab
pH	---	6-9 Standard Units		2/month	Grab

During the period beginning two months after completion of construction but not to exceed January 1, 2002 and lasting until expiration of permit (Design 0.439 MGD)

Effluent Characteristic	<u>Discharge Limitations</u>			<u>Monitoring Requirements</u>	
	lbs./day	other units		Measurement	Sample
	Monthly <u>Avg.</u>	Monthly <u>Avg.</u>	Weekly <u>Avg.</u>	<u>Frequency</u>	<u>Type</u>
Flow	---	Report	Report	Continuous	Recorder
BOD <sub>5</sub>	37	10 mg/l	15 mg/l	2/month	Grab
TSS	55	15 mg/l	23 mg/l	2/month	Grab
Fecal Coliform					
Colonies	N/A	200	400	2/month	Grab
pH	---	6-9 Standard Units		2/month	Grab

This permit contained pollution prevention requirements.

## XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

### A) Inspections

A review of EDMS indicates the following inspections were performed for this facility:

Date – June 24, 2005

Findings and/or Violations:

Incident Report – main sewer line has been tapped into with a 10" pipe and diverted into a drain.

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**Date – April 7, 2005**

**Findings and/or Violations:**

Incident Report – Manhole over flows and is then redirected into a culvert which drains into Thompson Creek.

**Date – December 16, 2004**

**Findings and/or Violations:**

Routine Inspection – DMR review of year 2004 found 2 exceedances. Receiving water looks good with no smell, no oily sheen, and no solids present.

**Date – October 29, 2001**

**Findings and/or Violations:**

Routine Inspection – Annual environmental audit was not submitted the first year of the permit. Facility construction project has not begun. Deadline was May 1, 2001 to initiate the project.

**B) Compliance and/or Administrative Orders**

A review of EDMS and TEMPO revealed that there is an enforcement action administered against this facility as follows:

**LDEQ Issuance:**

Enforcement Tracking # - WE-CN-05-0389

Issued – January 27, 2006

**Findings of Fact:**

1. Inspection on or about 12-16-04 and subsequent file review revealed 141 permit excursions from 09/2000 to 3/2005.
2. Unauthorized discharge of untreated sanitary wastewater.
3. Failure to report as required by LPDES Permit LA0078816.
4. Failure to comply with construction compliance schedule contained at Part II, Section A.8 of LPDES Permit LA0078816.
5. Failure to submit properly completed DMRs as required by LPDES Permit LA0078816.

**Order:**

1. To immediately take, upon receipt of Compliance order, any and all steps necessary to achieve and maintain compliance with permit limitations and conditions contained in LPDES Permit LA0078816.
2. Submit to the Department within 30 days a comprehensive plan for the expeditious elimination and prevention of such noncomplying discharges.
3. Submit to the Department, within 30 days, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance.

In response to the Compliance Order WE-CN-05-0389, the following actions were taken:

- A. Comprehensive Plan for the elimination of noncomplying discharges.
- B. Written Report of the circumstances concerning the cited violations.
- C. Annual gross revenue statement.
- D. Statement of monetary benefits of noncompliance.

The permittee was also advised of their right for an adjudicatory hearing on a disputed issue of material fact or of law arising from the Compliance Order; the specifics concerning a request for an adjudicatory and timely filing.

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The permittee was also advised of the civil penalties that could be assessed for each day of violation for the violations described in the order.

**EPA Issuance: None**

**C) DMR Review**

A review of the discharge monitoring reports for the period beginning **January 2005** through **March 2007** has revealed the following violations:

<u>Effluent Characteristic</u>	<u>Number of Violations</u>
BOD <sub>5</sub>	27
TSS	18
Fecal Coliform	0
pH	0

**XII. ADDITIONAL INFORMATION:**

**Final effluent loadings** (i.e. lbs/day) have been established based upon the permit limit concentrations and the design capacity flow of 0.439 MGD. Effluent loadings are calculated as shown in the following example:

$$\text{BOD}_5 = 8.34 \times 0.439 \times 10 \text{ mg/l} = 37 \text{ lbs/day}$$

The **Monitoring Requirements, Sample Types, and Frequency of Sampling** for facilities with flows of 0.1 MGD to 0.5 MGD are 2/month:

<u>Effluent Characteristics</u>	<u>Monitoring Requirements</u>	
	<u>Measurement</u>	<u>Sample</u>
Flow	<u>Frequency</u>	<u>Type</u>
BOD <sub>5</sub>	Continuous	Recorder
Total Suspended Solids	2/month	Grab
Fecal Coliform Bacteria	2/month	Grab
pH	2/month	Grab

**Pollution Prevention Requirements:**

The permittee shall institute or continue programs directed towards pollution prevention. The permittee shall institute or continue programs to improve the operating efficiency and extend the useful life of the facility. The permittee will complete an annual Environmental Audit Report each year for the life of this permit according to the schedule below. The permittee will accomplish this requirement by completing an Environmental Audit Form which has been attached to the permit. Please make additional copies to be utilized for each year of this permit. All other requirements of the Municipal Wastewater Pollution Prevention Program are contained in Part II of the permit.

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The audit evaluation period is as follows:

Audit Period Begins	Audit Period Ends	Audit Report Completion Date
Effective Date of Permit	12 Months from Audit Period Beginning Date	3 Months from Audit Period Ending Date

### **XIII. TENTATIVE DETERMINATION:**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

### **XIV. REFERENCES:**

Louisiana Water Quality Management Plan, Vol. 8, Appendix A "Areawide Effluent Limitations Policy", Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan, Vol. 5, Part B, "Water Quality Inventory", Louisiana Department of Environmental Quality, 2002 and 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards", Louisiana Department of Environmental Quality, 2006.

LA 2004 Integrated Report with FINAL EPA Additions, August 17, 2005.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 23 - "The LPDES Program", Louisiana Department of Environmental Quality, 2006.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Town of Jackson, Jackson Wastewater Treatment Facility, November 16, 2005.